

C G R F

B Y P L

Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma

Shahdara, Delhi-110032

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SECY/CHN 015/08NKS

C A No. Applied For
Complaint No. 434/2023

In the matter of:

DharamwatiComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R Khan, Member (Tech.)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Ms, Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 02nd April, 2024

Date of Order: 05th April, 2024

Order Pronounced By:- Mr. S. R Khan, Member (Tech.)

1. The complaint has been filed by Smt. Dharamwati, against BYPL-Krishna Nagar. The brief facts of the case giving rise to this complaint is that the complainant is user of electricity vide CA No. 151980975 installed at his premises 29-A, FF, Rani Garden, Shastri Nagar, Near

for Ashwani

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CGRF (BYPL)

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Ambedkar Park, Delhi-110031 and is regularly paying the electricity bill as and when raised by OP. It is also her case that OP transferred dues of some unknown person to her live connection without any reason and rhyme.

2. OP in its reply briefly stated that the complainant is seeking withdrawal of dues of Rs. 69,690/- outstanding against CA No. 151980975 registered in the name of complainant installed at property bearing no. 29-A, First floor, Rani Garden, Shastri Nagar, Near Ambedkar Park, Delhi-110031.

Reply further added that the premises involved are B-29 & 29-A, Rani Garden, Shastri Nagar, Near Ambedkar Park, Delhi-110031. On 20.12.2019 dues of Rs. 5,28,062.66/- were transferred from CA No. 100748117 registered in the name of Monika Mfg. Co. to CA no. 150007188 registered in the name of Madhu Bala.

On 14.08.2023 the dues of CA no. 150007188 (Madhu Bala) (disconnected connection) were transferred proportionately to ten live electricity connections existing in properties bearing no. B-29 and A-29. The connection in the name of Madhu Bala was disconnected on 28.08.2020 on account of outstanding dues of Rs. 6,83,133.93/-. The said dues were transferred to ten live connections after issuing them show cause notices on dated 15.03.2023. However, none of the registered consumer made any representation; accordingly, the registered consumers of Live connection were again served with notices on 25.07.2023, thereafter after taking necessary approval dues of Rs. 6,83,133.93/- were proportionately transferred to the below mentioned ten connections.

OP also added that after transfer of dues, consumers at serial no. 1, 5, 7, 8 and 9 have duly deposited their share of transferred dues.

for Bala
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SC *Devi* *BY*

The details of the said ten electricity connections are as under:

S.No.	C.A. No.	Registered Consumer	Address	Tariff	Date of energization
1.	151866121	Rani Chhabra	29-A, GF	Non-domestic	14.06.2016
2.	152014921	Asha Arora	29-A, GF	Domestic	21.11.2016
3.	151581797	Bhawana Jain	29-A, FF	Domestic	09.09.2015
4.	151980975	Dharamwati	29-A, FF	Domestic	13.09.2016
5.	152177950	Baljit Singh	29-A, SF	Non-domestic	19.05.2017
6.	152783305	Kanta Rani Baluja	B-29	Domestic	15.03.2019
7.	153221176	Vishesh Yadav	B-29, FF	Domestic	12.01.2021
8.	153221177	Manisha Yadav	B-29, SF	Domestic	12.01.2021
9.	153218774	Gynati Devi	B-29, 3 rd Floor	Domestic	13.01.2021
10.	153936019	Mandeep Singh	B-29, 4 th floor	Domestic	29.09.2022

3. In response to the reply the complainant filed rejoinder. The complainant purchased the flat situated at 29-A, FF, Rani Garden Shastri Nagar, Near Ambedkar Park, Delhi-110031 alongwith CA No. 151581798 (disconnected) in name of Meenakshi Kapoor. The complainant applied for name change from Meenakshi Kapoor to Dharamwati on 13.09.2016.

The transferred dues are of Manjeet Ram, vide CA no. 100748226, same was installed at 30-A, Rani Garden, Shastri Nagar, Delhi-110031, which is separate address and same does not pertains to the complainant.

*For
A. Bhagat*
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S. Bhagat

Complainant in rejoinder further states that earlier properties no. 29-A, 29-B, 30-A and 30-B was single property which was sub-divided and were sold to different owners making parts of the same property. He further states that approx 32 live connections are running till date in the said property.

4. The main issue in the present case is whether the transferred dues are payable by the complainant or not.
5. Forum noted that according to OP, premises no. B-29 and 29-A, Rani Garden, Shastri Nagar, Near Ambedkar Park, Delhi-110031 are involved. The dues of connection in the name of Monika Mfg. Co. were transferred to CA no. 150007188 in the name of Madhu Bala, which was installed at B-29, Rani Garden, Shastri Nagar, Near Ambedkar Park, Delhi-110031. The connection of Madhu Bala was also disconnected on non-payment of dues. Thereafter, in August 2023 the said dues of Rs. 6,83,133.93/- were transferred to the ten live connections in properties bearing no. 29-A and B-29.
Forum also noted that the ten connections on which dues were transferred, five of them had already paid the transferred dues.
The complainant's contention that erstwhile it was a single property thereafter it was sub-divided and sold to different owners, but have not placed on record any documents or property chain in support of his contention.
The complainant also approached Permanent Lok Adalat-II, but withdrew the case from PLA on ground that he is not inclined for settlement of impugned bill.

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6. In view of the above, we are of considered opinion that the dues of Madhu Bala are on property no. 29-A and B-29, OP has transferred the dues to the live ten connections in the said property. The dues are payable and five of the occupants of property bearing no. 29-A and B-29 have already admitted to this fact and had made the payment of the transferred dues.

7. Therefore, the dues transferred by OP are payable by the complainant. To facilitate the complainant, OP should allow waiver of entire LPSC amount from the bill of the complainant and if the complainant desires, he should be allowed instalments.

ORDER

The complaint is rejected. The dues are payable by the complainant. OP is directed to waive off entire LPSC amount from the bill of the complainant and also allow him monthly instalments alongwith current dues.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.


(S.R. KHAN)
MEMBER-TECH


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL

for
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MEMBER-CRM

(H.S. SOHAL)
MEMBER
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Secretary
CGRF (BYPL)